

LAKE PULASKI IMPROVEMENT DISTRICT
4TH ANNUAL MEETING
AUGUST 11, 1988 - 7:00 PM
BUFFALO CITY COUNCIL CHAMBERS
BUFFALO, MINNESOTA

M I N U T E S

Chairman Mike McGlennen called the Fourth Annual Meeting of the Lake Pulaski Improvement District to order at 7:14 p.m. on Thursday, August 11, 1988 at the Buffalo City Hall, Buffalo, Minnesota.

Mr. McGlennen gave an overview of the agenda and procedures that will be followed for audience participation.

PROGRESS REPORT ON STABILIZATION PROJECT/ARMY CORPS COSTS
Mr. Radzwill presented a brief report on the status of the project thus far. Mr. Radzwill informed the membership that the wet well at the pumping station is full of sand... the problem is the sand drifting into the wellhead and settling. He indicated that a letter was received today from Army Corps which he nor the Board has had a chance to review in detail, however the jest of the letter is that Army Corps has proposed two alternatives as a method of handling this problem. The first alternative consists of construction of a groin parallel to the intake channel which would block littoral drift into the channel. This option would require approximately \$5,000 from the LID for local share to cover expenditures beyond what was estimated for the original construction. The other alternative consists of doing nothing other than the work that is to be performed by the present construction contractor to repair muskrat damage, replacing an electrical conduit, cleaning sand out of the wet well, and blocking the entrance. Mr. Radzwill reminded the membership that this project has not yet been accepted by Army Corps. When the project has been accepted, they will turn it over to the LID. The Army Corps will then require an audit and the LID will submit all expenses for eligibility determination for a 75/25 cost share. Mr. Radzwill also explained that the LID Board has hired the CPA firm of Gruys, Johnson & Associates from Buffalo, Bob Carlson specifically to conduct the Audit.

Question: With the pump and well full of sand, couldn't they cover that area?

Answer: There are several things that the contract has to do... will cost the LID approximately \$7,000 and Army Corps \$35,000... Army Corps does not want sand in front of the wash basin.

SOUTH LAKE PULASKI DEVELOPMENT

Mr. McGlennen discussed the operating budget of \$25,000. He explained that more money may need to be levied to fight the development that is now being proposed on the South end on the lake. He explained that the LID may need additional funds to fight this battle legally.

TREASURER'S REPORT

Dave Randel presented the financial report from January 1, 1988 to-date and indicated the LID has received \$122,635.87 and had expenditures of \$20,762.55 leaving a balance of \$194,121.68. Mr. Randel also noted that the LID holds a Certificate of Deposit for \$100,000.00 in the Buffalo National Bank.

M/S/C: Merle Walters moved to approve a \$25,000 budget for 1988-89. Motion seconded by Dean Skallerud and passed unanimously.

CLEAN-UP/FLOOD HAZARD MITIGATION GRANT APPLICATION/AGREEMENT AND RESOLUTION

Mr. McGlennen explained that an agreement has been drafted by the DNR which the membership needs to vote upon in order to obtain the \$300,000 clean up money. The resolution (attached) defines the criteria and identifies what is eligible for clean-up.

Priority of Clean-up:

- 1) Remove all structures still all or partially inundated.
- 2) Remove all debris.
- 3) Remove all damaged structures/foundations.
- 4) Repair the shoreline.
- 5) Utility repair... which would include the capping of wells. Well capping is not an eminent danger to the water table. Maybe there will be money in the near future to take care of these wells.

Mr. McKinstry asked what can or cannot be remodeled and/or reoccupied. Mr. Tom Salkowski, Wright County Zoning Administrator was invited to this meeting to answer this and other questions. Mr. Salkowski stated that if the natural land is below 967.5, the normal ordinary high water mark, it cannot be remodeled or reoccupied. Then small islands have surfaced where the house is above the NOHW and the rest of the property is below the NOHW, then it cannot be reinhabited. Mr. Salkowski further pointed out that remodeling is allowed if the property has

natural land above 967.5 and is connected to high ground... provided there is enough land for a sanitary sewer system to be installed and several other criteria. The lowest inhabited floor must be 972 and above Flood Plain at 971 elevation. If there's high ground connected, then there's a possibility to reinhabit and rehabilitate the property. The County and the City, jointly, have asked utility companies not to hook up service until approval has been given by the City of Buffalo or Wright County. Basically, any property that was under water is not able to be reinhabited now. The DNR has strict rules and regulations of what can and can't be done... there are also fill requirements and Flood Plain regulations that must be met. Mr. Salkowski then stated: "Frankly, I was a bit surprised... nobody came in to talk to us (Wright County) before the assessments came out."

Bruce Haften expressed his frustration by stating that the assessments have been levied and now the City is telling us we can't use our land.

Lenny Walker explained that he worked with the DNR and Wright County Planning and Zoning... installed a new sanitary sewer system. The cost of rehabilitating his property was approximately \$20,000.

Mrs. Aryln Nelson strenuously objected to the proposal of leaving the wells uncapped and just doing the cosmetic clean up now.

Question: Once the structures are down, how will the wells be located.

Answer: That will be up to the well driller.

The LID as she sees it has an enormous legal liability. After much discussion, it seemed to be the consensus of the group that if there is money left over after the demolition, it would be used for the wells.

Joe Ashwill of the DNR St. Cloud Office indicated he was asked to attend this meeting to stress that the DNR's major concerns are to remove the structures and get the wells capped. He further explained that he wants the LID to know that the DNR is concerned with the uncapped wells... they should be a higher priority.

Question: If the property is tax-forfeited... is the State then liable for those wells?

Answer: Mr. McGlennen responded by saying, yes, I believe so.

The consensus of the group was to ask the DNR if we (LID) can get more money to cap the wells.

Bruce Haften indicated that he has had several conversations with Ron Harnack and he requests that he and Ron be placed on the Board's next agenda to discuss this matter in detail.

M/S/C: Don Schlacter moved to request the Board to send a letter to the DNR to lower the lake to expose the wells so that they can be capped and the structures removed. Bruce Haften seconded the motion.

Discussion:

Pumps draw-down design are at 962.5... can't go below 962.5 ... pumps will not function below that level.

Question: Have we received any bids to see how far we can get with \$300,000?

Response: No we haven't.

Question: Why not ask DNR to do the studies?

Response: Why waste the DNR's time ... they have already said NO 5 times, at least.

Question: How are the wells to be capped?

Response: Must be capped by a licensed well driller. They have to do the inventory... locate wells, etc.

Motion carried unanimously.

Discussion on Resolution (attached) followed and resulted in the following motion:

M/S/C: Ralph Bruhn made a motion to ratify the agreement signed by the LID Board and submit it to the State. Motion seconded by Howard Krueger. Motion passed unanimously.

Dean Skallerud suggested that the property owners go and get their own bids... and submit to the LID Board.

Mr. McGlennen clearly stated that the money will be available on a first come, first served basis.

Question: Define debris.

Response: Anything that would be considered a boating hazard.

Mr. Salkowski asked if the LID Board could find out who collected on their flood insurance. Mr. Radzwill indicated that this information can be obtained at St. Paul. It was explained that some insurance policies have a rider allowance for removal of debris.

Mr. Wagner asked if anyone was interested in chemical Weed Control. Some interest was indicated, however, it was noted that the DNR will probably never give us a permit because of the uncapped wells. Mr. McGlennen reiterated that we need to concentrate on clearing up the structures and debris.

OTHER BUSINESS

Question: Any new information on the developer (Mr. Klattke) of the Ordorff farm?

Mr. Klattke's relationship to the real estate agent involved was discussed.

Mr. McKinstry explained that he and other Board members have been attending the City Council/Planning Commission meetings regularly. He further explained that the City will vote on the study in approximately 2 weeks and that it appears that Mr. Klattke may have to wait to develop the proposed property.

Mr. Wagner noted that the LID Board is limited to expenditures of a maximum of \$5,000...expenditures over \$5,000 must be approved by the membership. If the South Lake Pulaski development is passed by the City, we may need to raise that threshold to pay for the legal battle.

M/S/C: Wagner moved to raise the maximum spending limit to fight the proposed development if necessary. The LID recommends that holding ponds be constructed and divert the water either way. Motion seconded by Dean Skallerud. Carried unanimously.

NEXT ANNUAL MEETING DATE SCHEDULED

It was agreed upon that the 5th Annual Meeting of the Lake Pulaski Improvement District will be held on August 10, 1989.

ELECTION OF BOARD MEMBER

M/S/C: Ralph Bruhn made a motion to re-elect Mike McGlennen for another 3-year term to the LID Board and moved that nominations cease. Motion was seconded and passed unanimously.

ADJOURNMENT

There being no further business, it was moved and seconded that the 4th Annual Meeting of the Lake Pulaski Improvement District be adjourned. Motion passed unanimously.

Respectfully Submitted,

Jay McKinstry, Secretary

RESOLUTION

WHEREAS, the Lake Pulaski Improvement District (L.I.D.) has applied for a grant to the State of Minnesota which if obtained would place at its disposal approximately \$300,000.00 for "clean-up" below the NOHW of the Lake, and

WHEREAS, that clean-up is necessary as a flood hazard mitigation following the construction of the Lake Pulaski Stabalization Project, and

WHEREAS, it is believed by the Board of the LID that this sum is insufficient for all mitigation desirable,

IT IS THEREFORE RESOLVED that the following order of priorities shall be instituted in order to ensure fair and equitable use of the funds in a manner most beneficial to the greatest number of members of the District:

1. The first priority shall be the removal of all structures still partially inundated.
2. Next in priority in the following descending order of importance shall be:
 - a. Removal of all debris from the lake waters and shoreland.
 - b. Removal of all damaged structures not in the water, but yet still below the NOHW and thus not able to be reinhabited,
 - c. Shore line repair, not to include tree stump removal,
 - d. Utilities repair, removal, or restoration.

IT IS FURTHER RESOLVED that the expenditure of funds for each "priority" shall include the cost of land aquisition, engineering, legal expenses, and associated administrative costs.

AND, finally it is resolved that the Board will at its discretion, through the use of arbitrary time limits or expenditure limits, and by making these benefits available to members of the District on a "first come, first serve, basis", expedite the completion of the clean-up, encourage self-help, and maximize the utilization of the funds.

LAKE PULASKI IMPROVEMENT DISTRICT

_____, Chairperson
Michael McGlennen

_____, Member
Douglas Wagner

_____, Member
David Randel

_____, Member
Jay McKinstry

_____, Member
Wilma Utterberg

DATED the _____ day of _____, 1988.